

# HOUSE BILL REPORT

## ESHB 3207

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### As Passed House:

EnterDate

**Title:** An act relating to community preservation.

**Brief Description:** Creating the community preservation authority program.

**Sponsors:** By House Committee on Capital Budget (originally sponsored by Representative Santos).

### Brief History:

#### Committee Activity:

Economic Development, Agriculture & Trade: 1/30/06, 2/1/06 [DP];

Capital Budget: 2/6/06 [DPS].

#### Floor Activity:

Passed House: EnterDate, EnterVote.

### Brief Summary of Engrossed Substitute Bill

- Creates community preservation authorities to restore or enhance the health, safety, and well-being of communities negatively impacted by the construction of major public facilities, public works, and capital projects with significant public participation.

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## HOUSE COMMITTEE ON ECONOMIC DEVELOPMENT, AGRICULTURE & TRADE

**Majority Report:** Do pass. Signed by 15 members: Representatives Linville, Chair; Pettigrew, Vice Chair; Appleton, Blake, Chase, Clibborn, Dunn, Grant, Haler, Kilmer, McCoy, Morrell, Quall, P. Sullivan and Wallace.

**Minority Report:** Do not pass. Signed by 7 members: Representatives Kristiansen, Ranking Minority Member; Bailey, Buri, Holmquist, Kretz, Newhouse and Strow.

**Staff:** Tracey Taylor (786-7196).

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## HOUSE COMMITTEE ON CAPITAL BUDGET

**Majority Report:** The substitute bill be substituted therefor and the substitute bill do pass. Signed by 15 members: Representatives Dunshee, Chair; Ormsby, Vice Chair; Blake, Chase, Eickmeyer, Ericks, Flannigan, Green, Hasegawa, Lantz, Moeller, Morrell, O'Brien, Springer and Upthegrove.

**Minority Report:** Without recommendation. Signed by 10 members: Representatives Jarrett, Ranking Minority Member; Hankins, Assistant Ranking Minority Member; Clements, Cox, Kretz, Kristiansen, McCune, Newhouse, Roach and Serben.

**Staff:** Susan Howson (786-7142).

**Background:**

Every year, federal, state and local governments undertake significant public facilities and infrastructure projects in communities around the state. While some of these projects only temporarily affect the surrounding community, others have a more lasting impact on the community.

**Summary of Engrossed Substitute Bill:**

The Legislature finds that the preservation and/or restoration of the character of a community impacted by significant public projects, and the community's historical and cultural character are important public policy goals. A community is defined as a group of people that has a distinct cultural identity located in a geographic area or well-defined neighborhood. A Community Preservation Authority (CPA) program is created. A CPA must: develop a capital projects plan to restore or enhance the health, safety and well-being of the impacted community and mitigate the effects of several significant public facilities projects, public works projects, capital project with significant public participation or a community transition facility; restore the local area's sense of community; reduce the displacement of community members and businesses; enhance the provision of public services; or stimulate the community's economic vitality. An impacted community has been or has the potential of being adversely impacted by the construction of, or on-going operation of, multiple major public facilities, public works and capital projects with significant public funding.

The CPA must include two members who own or operate a business within the community, two members involved in providing nonprofit or social services in the community, two members involved in the arts and entertainment, two members with significant knowledge of the community's culture and history, and a member involved in a nonprofit or public planning organization that directly serves the impacted community.

Once formed, a CPA must solicit input from the members of its community and develop a capital projects plan designed to restore or enhance the health, safety, and well-being of the impacted community and preserve and recapture its cultural and historical identity. Within this plan, there must be a prioritized list of projects identified and supported by the community. In order to assist the organizations that serve the impacted community, a CPA must work in partnership with a designated state agency to assist in identifying and successfully competing for local, state, federal and private funding to carry out the identified projects. A CPA must work with a single point of contact, which means a cabinet-level state agency directed by the Legislature to work with CPAs, to ensure communication and fully consult with the impacted community and with each other prior to making siting, design and construction decisions for future public facilities, public works projects and capital projects

with significant public funding. The single point of contact must make every effort to ensure that the cumulative effects of multiple projects upon the impacted community are considered.

Within existing resources, the Department of Community, Trade and Economic Development (DCTED) must develop recommendations for the CPA program and report to the Legislature by November 15, 2006. The DCTED must consult with at least one community interested in forming a CPA. A Community Preservation Authority Account is created in the treasury. Expenditures may only be used for projects under the CPA program after appropriation.

**Appropriation:** None.

**Fiscal Note:** Requested February 7, 2006.

**Effective Date:** The bill takes effect 90 days after adjournment of session in which bill is passed.

**Testimony For:** (Economic Development, Agriculture & Trade) This bill is intended to facilitate community development which is distinct from economic development. Community development is a broader and more comprehensive process of empowering oneself. This bill intends to improve the social, cultural and economic conditions of communities through a partnership of government, business, educational institutions, community organizations, residents, employees and other stakeholder groups. For many communities, this is an ideal, but not a reality. An example is Seattle's historic Chinatown International District (District). Due to the changes in housing laws and the economy, many of the subsequent generations have left the area, leaving an aged, poor, non-English speaking population. Over 60 percent of the District's current residents are foreign born. What has also ensued is decades of disinvestment and disinterest by government in the area. Large publicly funded infrastructure projects and facilities have been placed in the District to the detriment of the community. What this bill does is give communities like the International District a fighting chance to determine their own destiny. It allows stakeholders and policymakers to come together and plan for the community as well as determine what constitutes meaningful mitigation.

**Testimony For:** (Capital Budget) (In support) This bill is an attempt to provide tools and resources to communities that have suffered adverse impacts due to construction and ongoing operation of multiple public works, public facilities, and capital projects by governments and the private sector. The bill is a work in progress. A subsequent substitute bill will try to broaden the definition of "community" and will defer answers to some outstanding technical questions to interim work by the legislative and executive branches.

(With concerns) This is much improved over the original bill and we want to continue working with the sponsor. It will be a bit of a challenge to meet the August 1 deadline for budget and statutory recommendations.

**Testimony Against:** (Economic Development, Agriculture & Trade) None.

**Testimony Against:** (Capital Budget) None.

**Persons Testifying:** (Economic Development, Agriculture & Trade) Representative Santos, prime sponsor; and Bob Santos.

**Persons Testifying:** (Capital Budget) (In support) Representative Santos, prime sponsor.

(With concerns) Marie Sullivan, Department of Community, Trade, and Economic Development.

**Persons Signed In To Testify But Not Testifying:** (Economic Development, Agriculture & Trade) None.

**Persons Signed In To Testify But Not Testifying:** (Capital Budget) None.